

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Application for Mediators

Please complete the entire application, using additional paper if necessary. You may also attach a resume.

Name: Merl F. Code

Firm or Office Name: CODE AND WESTON, P.A.

Office Address: 1300-D East Washington Street, Greenville, SC 29607-1858

Office Phone: (803) 271-4975 Office Fax: (803) 242-2921

**ADMISSIONS AND AFFILIATIONS**

Date admitted to the Bar of the District of South Carolina: 11/20/79 D. No.: 193

Date admitted to the South Carolina Bar: 11/08/79 Bar No.: 1301

Other courts or jurisdictions to which admitted (with dates of admission and bar nos.): Fourth Circuit of Appeals, United States District Court, SC State Court.

Membership and positions held in bar, ADR and professional associations: Attorney at Law as well as Municipal Court Judge.

Are you a member in good standing in each jurisdiction where admitted to practice law? ☒ yes ☐ no

Are you currently the subject of any pending disciplinary proceeding in any jurisdiction? ☐ yes ☒ no

Have you, within the last 5 years, been denied admission to a bar for character or ethical reasons or disciplined for professional misconduct? ☐ yes ☒ no

**EDUCATION**

Year law degree received 1979 Law School University of South Carolina - Columbia

Other professional degrees received (including year and school) BS (Mathematics), graduated Cum Laude from North Carolina A&T State University.

**LEGAL EXPERIENCE (A minimum of 5 years of law practice required)**

Summarize legal experience (including teaching) since admission to the bar, particularly in the past five years:  
SEE ATTACHED BIOGRAPHICAL SKETCH

Percentage of practice in last 5 years representing plaintiff 70 % or defense 30 %

Percentage of Federal or State court practice in last 5 years: Federal 10 % State 90 %

Number of years engaged in active litigation: 16

### EXPERTISE

Indicate all substantive areas in which you have expertise. Place a "1" by your strongest area(s) and a "2" by all other areas in which you have expertise. (Do not rank beyond "1" and "2.") After any category you have marked, please identify any sub-areas of expertise you have (e.g. "medical malpractice" after Personal Injury).

<input type="checkbox"/> Admiralty	<input type="checkbox"/> Security or Shareholders suits
<input type="checkbox"/> Antitrust	<input type="checkbox"/> Labor
<input checked="" type="checkbox"/> Contracts	<input type="checkbox"/> ERISA
<input type="checkbox"/> Environment	<input type="checkbox"/> Wrongful Termination
<input type="checkbox"/> Fraud or Civil RICO	<input type="checkbox"/> Civil Rights in Employment
<input type="checkbox"/> Insurance	<input type="checkbox"/> Other Civil Rights
<input type="checkbox"/> Miller Act	<input type="checkbox"/> Copyrights
<input checked="" type="checkbox"/> Personal Injury	<input type="checkbox"/> Patent
<input type="checkbox"/> Product Liability	<input type="checkbox"/> Trademark
<input type="checkbox"/> Other (specify) _____	

Publications: \_\_\_\_\_

### MEDIATION EXPERIENCE

Mediation experience (particularly in the subject matter categories above): \_\_\_\_\_

Other courts or organizations for whom you serve as a mediator: \_\_\_\_\_

Number of mediations conducted: 6

### MEDIATION TRAINING

Course Provider	Course Content	Date	Place	No. of Hours
Dispute Management, Inc. / Mediation Training Course/Dec. 1-4, 1994/Charleston, SC				

(Note: Per conversation with Mr. Code's secretary, above training  
was 40 hours.)

**OTHER INFORMATION**

Are you familiar with the statutes, rules and practice governing mediation conferences in the District of South Carolina? ☒ yes ☐ no

Other relevant experience or skills or other information you would like considered in connection with this application:

SEE ATTACHED BIOGRAPHICAL SKETCH.

Cities in which you are available to conduct mediation:

☒ Columbia

☐ Charleston

☒ Greenville

☐ Florence

Other \_\_\_\_\_

Fees charged:

Hourly Rate: \$ 200.00

Minimum charge each mediation: \$ 200.00 per hour

How do you bill for travel? (explain): \$50.00 per hour

I agree to: (1) Be subject to the Rules of Professional Conduct, Rule 407, South Carolina Appellate Court Rules; to the Rules on Disciplinary Procedure, Rule 413, South Carolina Appellate Court Rules; and the Local Rules of the District Court; (2) Provide mediation to indigents without pay if ordered by the Court; (3) Notify the Clerk of Court of any change in the above facts or otherwise in my ability to perform duties as a mediator; (4) Disclosure of information contained in this application to litigants and other members of the public.

I certify that the foregoing is true and correct.

Signature W. L. Code Date 10/25/95  
Applicant

Return completed application to:  
U.S. District Court  
Mediation  
1845 Assembly Street  
Columbia, SC 29201-2431

Approved: Joseph H. Anderson Date 11/5/95  
U.S. District Judge

**BIOGRAPHICAL SKETCH  
OF  
MERL F. CODE**

HOME: 100 Reardon Drive (803) 295-3757  
Greenville, South Carolina, 29605

LAW OFFICES: 1300-D East Washington Street (803) 271-4975  
Greenville, South Carolina, 29607-1858

304 North Fairplay Street (803) 882-6010  
Seneca, South Carolina, 29678 (803) 882-6011

BORN: September 8, 1948

MARRIED: Denise Galloway of Roanoke, Virginia  
One Son: Merl Saint Michael Code  
One Daughter: Whitney Galloway Code

COLLEGES: University Of South Carolina Law School  
Juris Doctorate Degree - 1979

North Carolina A&T State University  
BS Degree (Mathematics) - 1970  
Graduated Cum Laude

**LEGAL AFFILIATIONS AND HONORS**

**\*ATTORNEY AT LAW\*** - Senior Associate of Code And Weston, P.A.  
Member Of South Carolina Bar  
Member Of American Bar Association  
Admitted To Practice In Fourth Circuit Court Of Appeals  
Admitted To Practice In U.S. District Court  
**ELECTED PRESIDENT** Of The University Of South Carolina Law School  
Student Bar Association.

**\*MUNICIPAL COURT JUDGE\*** - Greenville, South Carolina  
National Finalist In The Frederick Douglas Moot Court Competition,  
San Francisco, California

**\*YOUNG LAWYER OF THE YEAR\* (1984)**  
Selected By South Carolina Bar Association  
First Recipient Of The Young Lawyer Of The Year Award

### OTHER MEMBERSHIPS AND BOARD AFFILIATIONS

**PRESIDENT** Of Code And Associates Sports Management Firm  
**Member Of The Board Of Directors** - Local Development Corporation  
**Member Of The Board Of Directors** - Phillis Wheatley Association  
**Member Of The Board Of Directors** - Greater Greenville YMCA  
**Member Of The Board Of Directors** - Greenville Urban League  
**Member Of The Board Of Directors** - Public Defender Corporation  
**Member Of The Board Of Directors** - United Carolina Bank (UCB)  
**Member Of The Board Of Directors** - United Way Of Greenville/Former Chairman  
**Member Of The Board Of Directors** - Greenville Chamber Of Commerce  
Former General Counsel - Greenville Chamber Of Commerce  
**Member Of The Board Of Directors** - Peace Center For The Performing Arts  
**Member Of The Board Of Directors** - Friends Of Greenville Hospital System  
**Member Of The Board Of Trustees** - College Of Charleston  
**Member Of The Board Of Directors** - National Football League Players  
Association Youth Development Program Of Greenville  
**Member Of The Chief Justice Of The South Carolina Supreme Court's**  
**Bench-Bar Committee**  
**Past Member Of The Board Of Advisors** - Junior League Of Greenville  
**Member Of The Board Of Advisors** - University Of South Carolina School Of Law  
**Member Of The Board Of Regents** - Leadership Greenville  
Past Member Of The President Of The University Of South Carolina Advisory Panel  
Member Of The Mayor Of Greenville's Economic Advisory Committee  
Member Of The Athletic Advisory Board - City Of Greenville  
Board Of Governors - Greenville City Club

### ATHLETIC RECOGNITIONS

Professional Football Player  
5 Years - Montreal Alouettes - Canadian Football League  
2 Years - Memphis Southmen - World Football League  
Kodak Small College All-American 1969  
NCAA Small College All-American 1969  
NAIA Small College All-American 1969  
UPI Small College All-American 1969  
CIAA Player Of The Year 1969  
Associated Press All-American Football Player 1969  
Pittsburgh Courier All-American 1969  
Selected One Of Most Outstanding Athletes In America 1969  
Enshrined Into A&T State University Hall Of Fame 1981

### ACADEMIC RECOGNITIONS

Earl Warren Legal Scholar 1978  
Presidential Scholar 1968  
National Merit Scholar 1965  
Who's Who In American Colleges and Universities 1969  
Who's Who In American Colleges and Universities 1978

### OTHER HONORS

Member Of MU PI Chapter Of Omega Psi Phi Fraternity, Inc.  
Omega Man Of The Year 1978  
Omega Citizen Of The Year 1981

## SUPPLEMENT

### UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA

#### Application for Mediators

*Please complete the entire application, using additional paper if necessary. You may also attach a resume.*

Name: Merl F. Code

Firm or Office Name: The Code Law Firm

Office Address: 1300 D. East Washington St., Greenville, SC 29607

Office Phone: 864-271-4975 Office Fax: 864-242-2921

email address: MFCODE11@aol.com

#### ADMISSIONS AND AFFILIATIONS

Date admitted to the Bar of the District of South Carolina: 11/20/79 I.D. No.: 193

Date admitted to the South Carolina Bar: 11/8/79 Bar No.: 1301

Other courts or jurisdictions to which admitted (with dates of admission and bar nos.): Fourth Circuit of Appeals, United States District Court, SC State Court.

Membership and positions held in bar, ADR and professional associations: Attorney at law, Municipal Court Judge

Are you a member in good standing in each jurisdiction where admitted to practice law? ☒ yes ☐ no

Are you currently the subject of any pending disciplinary proceeding in any jurisdiction? ☐ yes ☒ no

Have you, within the last 5 years, been denied admission to a bar for character or ethical reasons or disciplined for professional misconduct? ☐ yes ☒ no

#### EDUCATION

Year law degree received 1979 Law School University of South Carolina-Columbia

Other professional degrees received (including year and school) BS (Mathematics), graduated Cum Laude from North Carolina A & T State University

#### LEGAL EXPERIENCE (A minimum of 5 years of law practice required)

Summarize legal experience (including teaching) since admission to the bar, particularly in the past five years:

See Attached Biographical Sketch

## SUPPLEMENT

Percentage of practice in last 5 years representing plaintiff 70 % or defense 30 %

Percentage of Federal or State court practice in last 5 years: Federal 10 % State 90 %

Number of years engaged in active litigation: 21

### EXPERTISE

Indicate all substantive areas in which you have expertise. Place a "1" by your strongest area(s) and a "2" by all other areas in which you have expertise. (Do not rank beyond "1" and "2.") After any category you have marked, please identify any sub-areas of expertise you have (e.g. "medical malpractice" after Personal Injury).

<u>    </u> Admiralty	<u>    </u> Security or Shareholders suits
<u>    </u> Antitrust	<u>    </u> Labor
<u>  2  </u> Contracts	<u>    </u> ERISA
<u>    </u> Environment	<u>    </u> Wrongful Termination
<u>    </u> Fraud or Civil RICO	<u>    </u> Civil Rights in Employment
<u>    </u> Insurance	<u>    </u> Other Civil Rights
<u>    </u> Miller Act	<u>    </u> Copyrights
<u>  2  </u> Personal Injury	<u>    </u> Patent
<u>    </u> Product Liability	<u>    </u> Trademark
<u>    </u> Other (specify) _____	

Publications: \_\_\_\_\_

### MEDIATION EXPERIENCE

Mediation experience (particularly in the subject matter categories above): \_\_\_\_\_

Other courts or organizations for whom you serve as a mediator (please note any certifications): \_\_\_\_\_

Number of mediations conducted: 20+ Number of other ADR sessions conducted: \_\_\_\_\_

### MEDIATION AND OTHER ADR TRAINING

<u>Course</u> <u>Provider</u>	<u>Course</u> <u>Content</u>	<u>Date</u>	<u>Place</u>	<u>No. of</u> <u>Hours</u>
----------------------------------	---------------------------------	-------------	--------------	-------------------------------

Dispute Management, Inc./ Mediation Training Course/ Dec. 1-4, 1994 Charleston, SC/40hrs

## SUPPLEMENT

### OTHER INFORMATION

Are you familiar with the statutes, rules and practice governing alternative dispute resolution in the District of South Carolina? ☒ yes ☐ no

Other relevant experience or skills or other information you would like considered in connection with this application:

See attached biographical Sketch

Cities in which you are available to conduct mediation:

☒ Columbia ☐ Charleston ☒ Greenville ☐ Florence

Other \_\_\_\_\_

Fees charged:

Hourly Rate: \$ 250.00 Minimum charge each mediation: \$ 250.00

How do you bill for travel? (explain): \$50.00 hour

I agree to: (1) Be subject to the Rules of Professional Conduct, Rule 407, South Carolina Appellate Court Rules; the Rules for Lawyer Disciplinary Enforcement, Rule 413, South Carolina Appellate Court Rules; and the Local Rules of the District Court; (2) Provide mediation to indigents without pay if ordered by the Court; (3) Notify the Alternative Dispute Resolution Program Director of any change in the above facts or otherwise in my ability to perform duties as a mediator; (4) Disclosure of information contained in this application to litigants and other members of the public.

I certify that the foregoing is true and correct.

Signature: *Marjorie Code* Date: 6/21/00  
Applicant

Return completed application to:  
Danny H. Mullis, Director  
Alternative Dispute Resolution Program  
United States District Court  
Post Office Box 835  
Charleston, SC 29402-0835

Reviewed: \_\_\_\_\_ Date: \_\_\_\_\_  
ADR Program

Approved: Initially approved by  
Judge J. Anderson 1/5/95 Date: \_\_\_\_\_  
ge



## SUPPLEMENT

### ***BIOGRAPHICAL SKETCH OF MERL F. CODE***

HOME: 100 Reardon Drive (864) 295-3757  
Greenville, South Carolina, 29605

LAW OFFICES: 1300-D East Washington Street (864) 271-4975  
Greenville, South Carolina, 29607-1858

304 North Fairplay Street (864) 882-6010  
Seneca, South Carolina, 29678 (864) 882-6011

BORN: September 8, 1948

MARRIED: Denise Galloway of Roanoke, Virginia  
One Son: Merl Saint Michael Code  
One Daughter: Whitney Galloway Code

COLLEGES: University Of South Carolina Law School  
Juris Doctorate Degree - 1979

North Carolina A&T State University  
BS Degree (Mathematics) - 1970  
Graduated Cum Laude

### **LEGAL AFFILIATIONS AND HONORS**

**\*ATTORNEY AT LAW\*** - Senior Associate of The Code Law Firm, P.A.  
Member of South Carolina Bar  
Member of American Bar Association  
Admitted to Practice in Fourth Circuit Court of Appeals  
Admitted to Practice in U.S. District Court  
**ELECTED PRESIDENT** of The University Of South Carolina Law School  
Student Bar Association.

**\*YOUNG LAWYER OF THE YEAR\* (1984)**  
Selected by South Carolina Bar Association  
First Recipient of The Young Lawyer Of The Year Award

**\*MUNICIPAL COURT JUDGE\*** - Greenville, South Carolina  
National Finalist in The Frederick Douglas Moot Court Competition,  
San Francisco, California

**\*COMPLEAT LAWYER AWARD (1997)\***  
Selected By South Carolina Bar Association

**\*OWNER/CEO OF PRECISION TOOL MANUFACTURER\*** - West Union, SC

## SUPPLEMENT

**NAMED BUSINESS PERSON OF THE YEAR (1996)** By South Carolina  
Business Network (SCBN)

**HONORED BY *VISION MAGAZINE* AS BEING ONE OF TOP 25 BUSINESS  
INFLUENCERS (1996)**

**1996 RECIPIENT OF ORDER OF PALMETTO** - Awarded by Governor of South  
Carolina

**\*\*TOMMY THOMASON AWARD (1998)\*\*** - Awarded by the Greenville County Bar  
Association

**\*\*INDUCTED INTO THE S.C. BLACK HALL OF FAME (1999)\*\***

### OTHER MEMBERSHIPS AND BOARD AFFILIATIONS

**PRESIDENT** of Code And Associates Sports Management Firm

**Member of The Board of Directors** - Local Development Corporation

**Member of The Board of Directors** - Phillis Wheatley Association/Former Chairman

**Member of The Board of Directors** - Greater Greenville YMCA

**Member of The Board of Directors** - Greenville Urban League/Former Chairman

**Member of The Board of Directors** - Public Defender Corporation

**Member of The Board of Directors** - Branch Banking & Trust Co. (BB&T)

**Member of The Board of Directors** - United Way of Greenville/Former Chairman

**Chairman of The Board of Directors** - Greenville Chamber Of Commerce

Former General Counsel - Greenville Chamber Of Commerce

**Member of The Board of Directors** - Peace Center For The Performing Arts

**Member of The Board of Directors** - Friends Of Greenville Hospital System

**Member of The Board of Directors** - Blue Ridge Council Boy Scouts of America

**Member of The Board of Trustees** - College Of Charleston

**Member of The Board of Advisors** - Furman University

**Member of The Board of Directors** - Clemson University Commission For The Future

**Member of The Board of Visitors** - Clemson University

**Member of The Board of Directors** - National Football League Players

Association Youth Development Program of Greenville

**Member of The Chief Justice Of The South Carolina Supreme Court's**

**Bench-Bar Committee**

**Past Member of The Board Of Advisors** - Junior League Of Greenville

**Member of The Board of Advisors** - University of South Carolina School of Law

**Member of The Board of Regents** - Leadership Greenville

Past Member of The President of The University Of South Carolina Advisory Panel

Member of The Mayor of Greenville's Economic Advisory Committee

Member of The Athletic Advisory Board - City Of Greenville

Board of Governors - Commerce Club

**Member of The Board of Directors** - Blue Cross-Blue Shield of South Carolina

## SUPPLEMENT

### ATHLETIC RECOGNITIONS

Professional Football Player

5 Years - Montreal Alouettes - Canadian Football League

2 Years - Memphis Southmen - World Football League

Kodak Small College All-American	1969
NCAA Small College All-American	1969
NAIA Small College All-American	1969
UPI Small College All-American	1969
CIAA Player of The Year	1969
Associated Press All-American Football Player	1969
Pittsburgh Courier All-American	1969
Selected One of Most Outstanding Athletes In America	1969
Enshrined Into A&T State University Hall Of Fame	1981

### ACADEMIC RECOGNITIONS

Earl Warren Legal Scholar	1978
Presidential Scholar	1968
National Merit Scholar	1965
Who's Who In American Colleges and Universities	1969
Who's Who In American Colleges and Universities	1978

### OTHER HONORS

Member of MU PI Chapter Of Omega Psi Phi Fraternity, Inc.	
Omega Man Of The Year	1978 & 1998